

**16784. Misbranding of Laxacold. U. S. v. 31 Boxes of Laxacold. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23511. I. S. No. 08451. S. No. 1671.)**

On March 9, 1929, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 31 boxes of Laxacold at Chicago, Ill., alleging that the article had been shipped by the Nyal Co., from Detroit, Mich., January 23, 1929, and transported from the State of Michigan into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of tablets containing acetanilid, alkaloids of aconite and of cinchona including cinchonine and cinchonidine, extracts of plant drugs including podophyllum and jalap, camphor, capsicum, sulphates, and a small amount of salicylates.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the container and accompanying counter display box, regarding the curative or therapeutic effects of the said article, (small carton) "Quickly relieves \* \* \* Grippe, Flu, Neuralgia, \* \* \* for Cough," and (display carton) "For \* \* \* Grippe, Flu," were false and fraudulent in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was effective as a remedy for the diseases, ailments, and afflictions mentioned therein. Misbranding was alleged for the further reason that the statement on the counter display box, "Safe," was false and misleading.

On April 20, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16785. Misbranding of Nyal cold capsules. U. S. v. 34 Boxes of Nyal Cold Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23438. I. S. No. 05299. S. No. 1600.)**

On February 20, 1929, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 boxes of Nyal cold capsules at Chicago, Ill., alleging that the article had been shipped by the Nyal Co., from Detroit, Mich., September 17, 1928, and transported from the State of Michigan into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained acetanilid, calcium carbonate, cinchonine sulphate, and small amounts of capsicum, camphor, podophyllin, and the alkaloids of aconite.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing on the container and the accompanying counter display box, (carton) "For \* \* \* Flu, LaGrippe \* \* \* Neuralgia \* \* \* Adults, take 2 capsules, repeat in 3 hours if necessary," and (counter display) "Relief for \* \* \* Flu, Grippe, Achy Pains. They do the work," were false and fraudulent in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was effective as a remedy for the diseases, ailments, and afflictions mentioned therein. Misbranding was alleged for the further reason that the statement on the counter display box, "Safe," was false and misleading.

On April 24, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16786. Misbranding of Dr. F. W. Diemer's laxative grip and cold tablets. U. S. v. 59 Packages of Dr. F. W. Diemer's Laxative Grip and Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23451. I. S. No. 05297. S. No. 1566.)**

On February 25, 1929, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the